

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit:

LANG, Daryl U.)

Examiner:)

Serial No.: Not Yet Assigned)

INFORMATION DISCLOSURE STATEMENT

Filed: Herewith)

Atty. File No.: 4366-147)

For: "CALL DURATION ALERT")

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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DATE OF DEPOSIT: 2/24/04I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
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1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Amy S. Duarte

SIGNATURE: 

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

☒ Copies of the cited non-patent and/or foreign references are enclosed herewith.

☒ Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with the waiver dated July 11, 2003, whereby patent applications filed after June 30, 2003 and international applications that have entered the national stage under 35 U.S.C. § 371 after June 30, 2003 need not submit copies of U.S. patents and U.S. patent application publications.

☐ Copies of the cited references are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ Examiner's attention is drawn to the following co-pending applications, a copy of which is being submitted:

Serial No. 09/669,486 filed September 25, 2000

☐ Other: _____

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in

the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith satisfies one of the following conditions ("X" indicates satisfaction):</p> <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. </div> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Avaya Inc. Deposit Account 50-1602.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <div style="margin-left: 40px;"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. </div> <p>This Information Disclosure Statement is accompanied by:</p> <div style="margin-left: 20px;"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Avaya Inc. Deposit Account 50-1602. </div> <p style="text-align: center;">OR</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Please charge Avaya Inc. Deposit Account 50-1602 in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Avaya Inc. Deposit Account 50-1602. </div>
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <div style="margin-left: 20px;"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) </div> <p style="text-align: center;">AND</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Avaya Inc. Deposit Account 50-1602 in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Avaya Inc. Deposit Account 50-1602. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification. </div>

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

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Date: Feb. 23, 2004

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 4366-147	SERIAL NO. Not Yet Assigned
	APPLICANT LANG, Daryl U.	
	FILING DATE Herewith	GROUP ART

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1.	2002/0118816	08/29/02	Flockhart et al.	379	265.12	01/09/01
	2.	2002/0181692	12/05/02	Flockhart et al.	379	265.02	06/05/01
	3.	09/669,486		Flockhart et al.			09/25/00
	4.	5,155,761	10/13/92	Hammond	379	67	
	5.	5,206,903	4/27/93	Kohler et al.	379	309	
	6.	5,506,898	4/9/96	Costantini et al.	379	266	
	7.	5,592,378	1/7/97	Cameron et.	395	227	
	8.	5,594,726	1/14/97	Thompson et al.	370	485	
	9.	5,606,361	2/25/97	Davidsohn et al.	348	14	
	10.	5,627,884	05/06/97	Williams et al.	379	67	
	11.	5,684,872	11/04/97	Flockhart et al.	379	266	
	12.	5,724,092	3/3/98	Davidsohn et al.	348	14	
	13.	5,740,238	04/14/98	Flockhart et al.	379	221	
	14.	5,751,707	5/12/98	Voit et al.	370	384	
	15.	5,754,639	05/19/98	Flockhart et al.	379	221	
	16.	5,790,677	8/4/98	Fox et al.	380	24	
	17.	5,828,747	10/27/98	Fisher et al.	379	309	
	18.	5,839,117	11/17/98	Cameron et al.	705	27	
	19.	5,875,437	2/23/99	Atkins	705	40	
	20.	5,880,720	3/9/99	Iwafune et al.	345	327	
	21.	5,884,032	03/16/99	Bateman et al.	395	200.34	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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	FILING DATE Herewith	GROUP ART

	22.	5,897,622	4/27/99	Blinn et al.	705	26	
	23.	5,903,877	05/11/99	Berkowitz et al.	705	26	
	24.	5,905,793	5/18/99	Flockhart et al.	379	266	
	25.	5,982,873	11/09/99	Flockhart et al.	379	266	
	26.	6,000,832	12/14/99	Franklin et al.	364	479.02	
	27.	6,044,205	3/28/00	Reed et al.	395	200.31	
	28.	6,049,547	04/11/00	Fisher et al.	370	412	
	29.	6,064,730	05/16/00	Ginsberg	379	265	
	30.	6,064,731	05/16/00	Flockhart et al.	379	265	
	31.	6,088,441	07/11/00	Flockhart et al.	379	265	
	32.	6,163,607	12/19/00	Bogart et al.	379	266	
	33.	6,173,053	01/09/01	Bogart et al.	379	266	
	34.	6,192,122	02/20/01	Flockhart et al.	379	266	
	35.	6,295,353	09/25/01	Flockhart et al.	379	265	
	36.	6,366,668	04/02/02	Borst et al.	379	266.04	
	37.	6,389,028 B1	05/14/02	Bondarenko et al.	370	401	
	38.	6,430,282 B1	08/06/02	Bannister et al.	379	211.02	
	39.	6,449,356 B1	09/10/02	Dezonno	379	265.01	
	40.	6,453,038	09/17/02	McFarlane et al.	379	265.05	
	41.	6,463,346	10/08/02	Flockhart et al.	700	102	
	42.	6,535,600 B1	03/18/03	Fisher et al.	379	265.12	
	43.	6,597,685 B2	07/22/03	Miloslavsky et al.	370	352	

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	FILING DATE Herewith	GROUP ART

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	44.	EP 0 866 407 A1	09/23/1998	EPO	G06F	17/30	X	
	45.	EP 0 829 996 A2	03/18/1998	EPO	H04M	3/50	X	
	46.	WO 97/28635	08/07/1997	PCT	H04M	11/00	X	

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	47.	Doo-Hyun Kim et al. "Collaborative Multimedia Middleware Architecture and Advanced Internet Call Center"; Proceedings International Conference on Information Networking (Jan. 31, 2001), pp. 246-50.
	48.	No Author, "When Talk Isn't Cheap" Sm@rt Reseller, Vol. 3, No. 13 (4/03/2000), p. 50.
	49.	No Author, "eGain's Commerce 2000 Platform Sets New Standard for eCommerce Customer Communications" Business Wire (11/15/99).

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